

Minutes of the Constantia town board meeting held November 20, 2007 at 7:30 p.m. in the town hall.

Present: Ronald Sakonyi - supervisor
Andrew Kelsey, Daniel Buck, John Metzger,
Richard Colesante - council members
Janet Warford - town clerk
Others present: Warren Bader - town attorney
John Whitney - highway rep
John Dunham - ceo
Charles Gilkey - planning board chair
Mike Marr – water committee chair
Paul Auringer - board of appeals chair

Mr. Metzger made the motion to accept the minutes from 10/16/07, 10/18/07, 10/23/07 and 11/7/07. Mr. Colesante seconded the motion.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
Buck - yes Colesante - yes

Vouchers submitted:

General fund claims no. 318 – 353 as set forth on Abstract no. 11, dated 11/20/07.

Highway fund claims no.123 – 137 as set forth on Abstract no. 11, dated 11/20/07.

Mr. Metzger made the motion to pay the vouchers as submitted, seconded by Mr. Kelsey.

Carried Sakonyi - yes Kelsey - yes Metzger – yes
Buck - yes Colesante - yes

Mr. Colesante made the motion to accept the Town Clerk’s Monthly Report for October 2007. Seconded by Mr. Metzger.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
Buck - yes Colesante - yes

Mr. Metzger made the motion to accept the Supervisor’s Reconciliation Summary as presented through October 31, 2007. Seconded by Mr. Colesante.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
Buck - yes Colesante - yes

Mr. Buck made the motion to transfer \$7500 from A9950.9 to the Special Reserve Bank Account for a new town hall. Seconded by Mr. Metzger.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
Buck - yes Colesante - yes

Supervisor Sakonyi stated the \$50,000 placed in the 2008 Preliminary Budget for the library has been taken out, because at the preliminary budget hearing the consensus was the library not be funded and the board sharpen their pencils in formulating the new budget. After the hearing the library guild met and voted to withdraw their charter request. Mr. Kelsey questioned when these changes to the budget occurred. The preliminary budget should not have been changed after the hearing without holding a special meeting. Discussion followed. Mr. Colesante stated it did not make sense to include the \$50,000 in the budget for a library if the guild were withdrawing their request for charter. Mr. Buck said how this was handled was not appropriate. Attorney Bader agreed if the charter was no longer being sought it was correct to remove the money from the 2008 budget, but technically Mr. Kelsey was correct. The way of doing it was incorrect.

Mr. Colesante made the motion to modify the Preliminary Budget by taking \$50,000 out for library funding. There was no second. Discussion continued. Mr. Metzger than made the motion to accept the Preliminary Budget with two changes being made, that the \$50,000 placed in the 2008 budget for library be removed and the Fund Balance & Appropriation Reserve be reduced from \$90,000 to \$50,000. Seconded by Mr. Colesante.

Carried Sakonyi - yes Kelsey - no Metzger - yes
Buck - no Colesante - yes

Mr. Sakonyi made a motion to send a letter to the Executive Director, NYS Office of Real Property with regard to inequity of equalization rates in towns that encompass the same school district and working toward the goal of 100% assessments for property owners in all these towns. Seconded by Mr. Metzger.

Carried Sakonyi - yes Kelsey - no Metzger - yes
Buck - yes Colesante - yes

Mr. Buck made the motion to accept the Assessor’s Monthly Progress Report. Seconded by Mr. Kelsey.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
Buck - yes Colesante - yes

Mr. Kelsey made the following Resolution. Seconded by Mr. Metzger;
 WHEREAS, Section 305 of the New York State Real Property Tax Law mandates uniform and equitable level of assessment for all real property within the assessing unit; and
 WHEREAS, computer-assisted mass appraisal systems, technical advice, and financial assistance are available by cooperative agreement with the NYS Office of Real Property Services and the Oswego County Real Property Tax Services agency; and
 WHEREAS, The last town-wide reassessment of real property located within the Town of Constantia took place in 2007; and
 WHEREAS, the Town Board believes that a reassessment is necessary to comply with Section 305 of the NYS Real Property Tax Law; it is and shall be;
 Resolved, That the Assessor of the Town of Constantia is hereby authorized to undertake and implement a reassessment for the 2008 assessment roll; and it is further
 RESOLVED, that the town Board does hereby agree, in conjunction with the NYS Office of Real Property Tax Services and the Oswego County Real Property Tax Services agency, to support the Town Assessor and his staff in this reassessment; and it is further
 RESOLVED, that the Town Board and the Assessor are authorized to enter into any necessary agreements to achieve this purpose. However, the Town Board must first approve and agreement resulting in expenditure by the Town of Constantia; and it is further
 RESOLVE, that this resolution shall take place immediately.

Carried	Sakonyi - yes	Kelsey - yes	Metzger - yes
	Buck - yes	Colesante - yes	

The town is still awaiting completion of an Intermunicipal Water Agreement with the Town of West Monroe. A memo from Barton & Loguidice, P.C. regarding water was given to board members for their review. Mr. Sakonyi stated it was the intent to hold a Public Informational Income Survey meeting at A.A.Cole Elementary School on Dec.5, 2007 at 7:30 p.m. Notice of such will be posted.

A Bernhard's Bay Water Petition has been received requesting water be provided from Cleveland's water source. It was deemed inadequate, as it did not contain specific documentation as to boundaries, costs, etc. Norm Youmans, Cleveland Trustee stated the village would provide the Bernhard's Bay area water if a district were to be formed. Mr. Sakonyi is to contact Cleveland Mayor Davis and the petitions organizer to discuss this request further.

John Whitney reported vandalism occurring at the Babe Ruth field in Bernhard's Bay. Aluminum planks for bleachers and benches were stolen at a replacement cost of \$4777.50 along with a manhole top There is nothing there now, the remaining bleachers have been removed. The State Police and town's insurance company have been notified. Mr. Whitney requested that the highway garage be re-illuminated. The town has the lights to do this and the board was in agreement this should be done. Mr. Colesante will draft a letter to the State Police and Sheriff's asking for more patrol coverage in the town.

Discussion was held with regard to the placement of a guardrail at 39 Doris Park Drive. Mr. Whitney is to meet with a representative of F&R Limited, a guardrail company to seek a solution for replacement of the existing rail to the satisfaction of all landowners involved. Mr. Metzger made the motion to accept the Highway Report, seconded by Mr. Colesante.

Carried	Sakonyi - yes	Kelsey - yes	Metzger - yes
	Buck - yes	Colesante - yes	

Mr. Metzger made the motion to accept the Code Enforcement Monthly Report. Seconded by Mr. Buck.

Carried	Sakonyi - yes	Kelsey - yes	Metzger - yes
	Buck - yes	Colesante - yes	

Mr. Colesante made the motion to accept the Dog Control Officers Monthly Report. Seconded by Mr. Metzger.

Carried	Sakonyi - yes	Kelsey - yes	Metzger - yes
	Buck - yes	Colesante - yes	

Mr. Gilkey stated Matt Johnson would be present at the December meeting for discussion with regard to revision of the Sub-Division Law. He questioned if the Planning Board should also be addressing revision to the Land Development Law. Mr. Metzger stated it was important to continually update the laws. Mr. Buck opposed making new laws; we should be enforcing what we have now. It was noted board members had the final say and if they were not in agreement with revisions recommended things could be changed before any passage. Discussion followed. Mr. Colesante made the motion to allow the Planning Board to review Land Development Law 2000 and report it's finding to the town board. Seconded by Mr. Metzger.

Carried	Sakonyi - yes	Kelsey - no	Metzger - yes
	Buck - no	Colesante - yes	

Mr. Colesante made the motion to accept the Planning Board Report. Seconded by Mr. Buck.
Carried Sakonyi - yes Kelsey - yes Metzger - yes
 Buck - yes Colesante - yes

The Board of Appeals met 11/8/07 and will hold another meeting on 12/4/07. Mr. Auringer announced he will be stepping down as chairman of this board after the December meeting, but will remain on the board until his term runs out at the end of 2008. He was thanked for his years of serving as chairman. Mr. Colesante made the motion to accept the Board of Appeals Report. Seconded by Mr. Kelsey.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
 Buck - yes Colesante - yes

Mr. Kelsey made the motion to appoint Thomas Moran to fill the vacant position on the Board of Appeals effective immediately through December 31, 2010. Seconded by Mr. Colesante.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
 Buck - yes Colesante - yes

Councilman Kelsey initiated discussion with regard to a variance request before the Board of Appeals for property on Deer Track Lane belonging to the Finch's. No resolution was reached regarding this matter.

Mr. Buck made the motion to accept the Justice Report as submitted. Seconded by Mr. Colesante.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
 Buck - yes Colesante - yes

Correspondence:

A NORCOG representative will have to be appointed.

Local Government Conference / March 27, 2008

Cleveland's 150th November Event

FOIL request from Jim Bryant requesting wages or salaries of all those employed by the town in 2005, 2006 & 2007.

Mr. Buck made the Resolution to support Senate Bill S.3309 and Assembly Bill A.8158 authorizing low-volume and minimum maintenance road standards for towns. Seconded by Mr. Metzger.

Carried Sakonyi - yes Kelsey - yes Metzger - yes
 Buck - yes Colesante - yes

Mr. Marr questioned if the board wanted the water committee to continue working on Phase II of the water district now that a petition has been received requesting water be provided to Bernhard's Bay from Cleveland. Mr. Colesante stated the board has not even considered disbanding the water committee and they are to precede, as they would have without a petition being submitted. A couple of new members for the water committee are needed and Mr. Marr will make recommendations for these positions at next months meeting.

Mr. Buck stated the election for Fire Commissioners will be held at the Constantia Fire Hall on the second Tuesday in December (Dec.11, 2007) All those residing in Fire District 1 are allowed to vote in this election and voting eligibility can be determined by looking at ones County/Town tax bill.

Mr. Tuff questioned the fire and ambulance appropriations in the towns budget and how entailed the information supplied for such requests were. The ambulance information is very detailed the board commented.

Mr. Kelsey made the motion to adjourn. Seconded by Mr. Metzger.

Carried Saxony - yes Kelsey - yes Metzger - yes
 Buck - yes Colesante - yes